

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CERTIFIED INTERIORS, INC., on behalf of itself and
as a representative for all others who may be deemed
beneficiaries of a certain trust created pursuant to Lien
Law Article 3-A.,

Civil Action No. 1:24-cv-04298

~~[PROPOSED]~~ ORDER AND
DEFAULT JUDGMENT

Plaintiff,

-against-

CALDWELL & WALSH BUILDING CONSTRUCTION
INC., MICHAEL FERRONE and FRANK MORACE,

Defendants.

X

This action having been commenced on June 5, 2024, with the filing of a summons and complaint a copy of the summons and complaint was served on defendants Caldwell & Walsh Building Construction Inc. (“C&W”) and Michael Ferrone (“Ferrone”) (collectively, the “Defaulting Defendants”) by personally serving C&W and Ferrone on July 9, 2024 and August 8, 2024, respectively, and proof of service was therefore filed on July 11, 2024 and August 13, 2024, respectively (ECF Doc. Nos. 16 and 19), an amended complaint was filed on October 17, 2024, copies of the amended summons and complaint were served on the Defaulting Defendants by personally serving C&W and Michael Ferrone on November 5, 2024 and November 8, 2024, respectively, and proof of service was therefore filed on November 5, 2024 and November 13, 2024 (ECF Doc. Nos. 32 and 35), and the Defaulting Defendants, having not answered or moved with respect to the amended summons and complaint and the time to do so having expired, upon the annexed motion for default judgment (the “Motion”) of Plaintiff, Certified Interiors, Inc. (“Plaintiff” or “Certified”), comprised of the Affirmation of Ronald J. Dwyer, Esq., dated February 10, 2025, the Affidavit of Peter Geiger, sworn to on February 6, 2025, and all the exhibits annexed thereto, it is:

ORDERED AND ADJUDGED that Certified's Motion against Caldwell & Walsh Building Construction Inc. and Michael Ferrone is **GRANTED**. An order of reference to the assigned United States Magistrate Judge for an inquest as to damages will issue separately; and it is

FURTHER ORDERED AND ADJUDGED that default judgment is hereby entered in favor of Certified Interiors, Inc. and against Caldwell & Walsh Building Construction Inc. and Michael Ferrone as follows

ORDERED, ADJUDGED AND DECREED: That the plaintiff have judgment against Caldwell & Walsh Building Construction Inc. in the liquidated amount of \$288,109.08, together with pre judgment interest in the amount of _____; and

ORDERED, ADJUDGED AND DECREED: That the plaintiff have judgment against Caldwell & Walsh Building Construction Inc. and Michael Ferrone, jointly and severally, in the liquidated amount of \$288,109.08, together with pre judgment interest in the amount of _____
SO ORDERED:

Dated: April 25, 2025



Dale E. Ho
United States District Judge
Dated: April 25, 2025 New
York, New York